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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/363,062    07/29/99    VIANO

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EXAMINER

PM82/0517

WINNER, T

ART UNIT

PAPER NUMBER

3618

DATE MAILED:

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KATHRYN A MARRA  
DELPHI TECHNOLOGIES INC  
LEGAL STAFF MAIL CODE 480 414 420  
P O BOX 5052  
TROY MI 48007-5052

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/363,062**

Applicant(s)  
**Viano et al.**

Examiner  
**Tony Winner**

Group Art Unit  
**3618**



☒ Responsive to communication(s) filed on 7/29/99

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, and 6-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (5,884,937) in view of Suyama et al (5,575,497).

Yamada discloses an air bag system for a vehicle comprising an inflator (16) mounted to vehicle structure (figure 1) an air bag (20) operatively connected to the inflator and mounted to a pillar (26) of the vehicle. A trim molding (30A) covering the air bag and mounted to the pillar, wherein the air bag is inflated by the inflator is extended downward. Yamada lacks the teaching that the air bag is inflated by the inflator and extended downward and sideways in front of an occupant seated in the vehicle.

Suyama (figure 7C) shows that the inflator is mounted in the roof region and when the air bag is inflated by the inflator and extended downward and sideways in front of an occupant seated in the vehicle.

Based on the teaching of Suyama, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air bag system of Yamada to include the

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air bag system of Suyama so as to provide better protection to the occupant during a frontal collision or side impact.

With respect to claim 2, Yamada as modified by Suyama meet all of the claim limitations.

With respect to claim 4, Yamada alone discloses the diffuser (18) attached to the inflator and the air bag.

With respect to claim 6, Yamada as modified by Suyama disclose the inflator is remotely located on the vehicle structure from the pillar (figure 1).

With respect to claim 7, Yamada as modified by Suyama meet all of the claim limitations.

With respect to claim 8, Yamada as modified by Suyama shows the air bag is mounted to the pillar on a driver side of the vehicle.

With respect to claim 9, Yamada as modified by Suyama shows the air bag is mounted to the pillar on a passenger side of the vehicle.

With respect to claim 10, Yamada as modified by Suyama shows the air bag is generally circular shape.

With respect to claim 11, as interpreted by the Examiner, Yamada as modified by Suyama shows the air bag is generally shape.

With respect to claims 12-17, Yamada as modified by Suyama meet all of the claim limitations.

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2. Claims 3, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (5,884,937) as modified by Suyama et al (5,575,497) as applied to claims 1 and 12 above, and further in view of Wipasuramonton et al. (5,615,909).

With respect to claims 3 and 18, Yamada as modified by Suyama are disclosed above and lack the teaching of a neck portion of the air bag that is connected to at least one panel.

Wipasuramonton show a neck portion for his air bag (figure 6).

Based on the teaching of Wipasuramonton, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the neck portion to the air bag system of Yamada as modified by Suyama so as to provide better angle of deployment for the air bag.

With respect to claim 19, Yamada as modified by Suyama and Wipasuramonton disclose the neck portion is operatively connected to either one of the diffuser and the inflator.

With respect to claim 20, Yamada as modified by Suyama and Wipasuramonton meet all of the claim limitations.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada (5,884,937) as modified by Suyama et al (5,575,497) and Wipasuramonton et al. (5,615,909) as applied to claims 1, 12, and 20 above, and further in view of Boerger (6,050,596).

Yamada as modified by Suyama and Wipasuramonton are disclosed above and lack the teaching of a hollow tube diffuser having a plurality of apertures. Boerger shows an air bag safety device with a diffuser having a plurality of aperture.


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Based on the teaching of Boerger, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the plurality of aperture to the air bag system of Yamada as modified by Suyama and Wipasuramonton so as to provide a better dispersement of the inflation gas/fluid.


*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Eyraier ('421), and Brown ('900) teach similar concept.
5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tony Winner whose telephone number is (703) 306-5957. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
TONY WINNER  
PATENT EXAMINER

May 12, 2000

  
PAUL N. DICKSON  
PRIMARY EXAMINER 5/15/00